G. R. S. App. F. IX-4]

Previous References.

194 | -

(cls)

61

File No. ~~67~~ - 41

Serial Nos. 33, 58

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for August 1942

SUBJECT.

Appointments of Adinarayana Sastry as S. P. T. Amin from 12th July 1935 and of B. K. Ramiamma as S. P. T. Process Server from 1st April 1936.

G. O. No. P. 1281-82 dated 26th August 1942

To.

The Registrar, High Court of Mysore
with the bills and Statements
& Comptroller to Government

Sanctions to

Ja 12/9/42

3126

General and Revenue Secretariat — File No. 61 of 194 /. [App. F. III—2

Serial No.

From
The Registrar Hi Ct Gen.
No Roc 387/41-42 dt 6.12.1941.
Forwards the periodical increment Certificate on behalf of B.K. Muniamma Process Server Second Munsiff's Court Bangalore and requests sanction to treat the Official may be treated as having held the post Sub protem from 1-4-1936.

1) Submitted with a draft of a G.O.
2) (The Financial Secty may be Consulted)
3) Law Secretary) 3/18/12/41
4) Fin Secy) M/c. Hm 2 19.12.41.
3/19/12/41
5) To complete M/c for further remarks
TO 357/S/pc dt 21-1-42. 28/1/42
6) U.O.No.481/A-II dated the _ January 1942.

Returned with Compliments:-

A copy of the Local Auditor's objection enclosed with the bill indicates that the Process Server was appointed on S.P.T. tenure in place of one Adinarayana Sastry who was acting as Amin. This arrangement is not admissible - Vide Article 65(1) M.S.R., unless the acting tenure of Adinarayana Sastry is capable of being coverted to one of sub-protem

SECY. LAW DEPT. 13 DEC. 1941. GOVT OF MYSORE

U.O.No. 3595 22 DEC. 1941

ACCOUNTANT GENERAL'S OFFICE 29 DEC 1941 A(II)

390/SPL

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

File No. of 194 | General and Revenue Secretariat

Serial No.

Sub-pro-tem. ~~For the Registrar states in his letter of 6-12-1941 that the S.P.T. appointment was made in a clear vacancy has not been explained.~~

M. Z in arrangements

Comptroller.

The remarks of the High Court on the point raised in Comptr's note may be obtained.

Hd 22/1/42

Hm 23.1.42

23/1/42

Submit with a draft

Hm 23/1/

24/1

To the Registrar. High Court

No P. 3398 of 29.1.42.

Intimates as above.

From

The Registrar, High Court

Letter No R.O.C. 387/41-42 Dated 6/8.6.42

Forwards a copy of letter from the District Judge, Bangalore furnishing his opinion in the matter

5/A3

664

General and Revenue Secretariat

File No. 61 of 194 [App. F. III-2

Serial No.

Dealing B. K. Nuniamma, Process Server, Second Munsiffs' Court, Bangalore as on S.P.T. tenure from 1st April 1936.

It is still not clear from the High Court letter, as to how the S.P.T. appointment was made in a clear Vacancy.

A draft letter calling for ~~explanation~~ the exact information from the High Court in the matter is put up.

27/7

The remarks of the High Court may be submitted for perusal to the Hon'ble Secretary.

Law Secretary 28/7/42

Hon'ble Secy 26-7

27.7

28/7/42

To complete the file for favour of remarks with reference to the portion marked 'A' in the Registrar's letter No. III/Spl dated 14-8-42

28/7/42

U.O.No. 62 /~~WAD. IV.~~ T.A.D.A.(m) dated 11th August 1942.

Returned with compliments.

It is seen from the Audit Register that Adinarayana Sastry was acting as Amin in the vacancy of Siddegowda who was on other duty as clerk in Closepet Taluk and

that

NOTE—Contn. Sheet.

SECRETARIAT DEPT. 23 JULY 1942 GOVT. OF MYSORE

FINANCIAL SECTION U.O.No.Fin. 434 29 JUL JWJ

COLLER'S OFFICE, BANGALORE 8-21/Spl 3 JUL 1942 SPECIAL SECTION

5/A(3) 5/A3

WD 04155—GPB—55,000—23-10-41

Arrear Claims

File No. 61 of 194 1. | General and Revenue Secretariat.

Serial No. 42

that B.K.Muniappa was appointed as officiating Process server in the vacancy of Adinarayana Sastry. As Diddegowda was confirmed as clerk with effect from 4-3-1936 S.P.T. or permanent arrangements could have been ordered in his vacancy. The proposal of the High Court to treat B.K.Muniappa as S.P.T. in the above vacancy is quite in conformity with the rules in M.S.R. in view of the fact that he was officiating against a clear vacancy from the date of confirmation of Siddegowda as clerk in 4-3-36 or from a later date.

Comptroller.

KR/11.

The recommendation of the High Court may be sanctioned as it is stated by the Comptroller to be admissible.

Sanctioned as recommended by the High Court

Cus 21-6-42

21/8/42

Sd with a draft

Con 22/8

may be approved

Law Secretary 24/8/42

Cus 24.6.42

24/8/42

DEC 20 91 SORE

Arrear claims.

General and Revenue Secretariat | C/5 File No. 61 of 194 1. | [App. F. III—2

Serial No.	
59	Issued No. P. 1281-82 dated 26.8.42 to (1) the Regr. High Court of Mysore and (2) the Comptroller Sanctioning the recommendation of the High Court contained in Sl. 1 and authorising the Comptroller to investigate the arrear claims referred to.

B

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

3126 p41

R. O. C. No. 387 41-42.
D. Dis.

Encl: Five

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 6th December 1941.

SECRETARIAT 5 DEC 1941 BRANCH

Ch 61-41-33

FROM

T. SHAMIENGAR, ESQ., B.A., B.L.,
Registrar, High Court of Mysore.

To

SECY. LAW DEPT. 8 DEC. 1941 GOVT OF MYSORE

H.V.NARAYANA RAO, Esq., B.A., LL.B.,
Secretary to the Government of Mysore,
Law Department,
BANGALORE.

SIR,

I am directed to forward herewith the periodical increment certificate and other connected papers on behalf of B.K.Munianna, Process Server of the Second Munsiff's Court, Bangalore, in respect of his first four increments in Rs.11-½-18 grade, raising his pay to Rs.11-8-0, Rs.12/-, Rs.12-8-0 and Rs.13-0-0 with effect from 1-4-1937, 1-4-1938, 1-4-1939 and 1-4-1940, respectively, and to state that the server was appointed S.P.T. in a clear vacancy on 1-4-1936 and was subsequently confirmed with effect from 1-7-1939. He had been granted increments raising his pay to Rs.11-8-0 and Rs.12-0-0; but as it was observed during the course of audit of the accounts of the said court for the year 1937-38, that the appointment of the server as S.P.T. was inadmissible and that a sum of Rs.14-0-0 being the incremental pay drawn by him should be refunded, the server's pay was reduced to Rs.11/- from 1-1-1939. Considering the nature of the vacancy in which the server was appointed, the High Court found that he should be ordered to hold the post sub-pro-tem, from the date of his appointment i.e., 1-4-1936. Proper disciplinary action has been taken against the official responsible for the delay in submitting the claim for sanction.

Under the above circumstances, I am to recommend that under Note 1 to Article 47(a) and Article 11(b) and (e) of the Mysore Civil Accounts Code, Volume I, the Government may be pleased to order

directing

directing the server to hold the post Sub-pro-tem from the date of his appointment i.e., 1-4-1936 and authorising the Comptroller to investigate the arrear claim.

I have the honour to be,

Sir,

Your most obedient servant,

REGISTRAR.

ISN.

No. P 3398/CS Secs 5—329/11/42

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

To

The Registrar
High Court

Sir

With reference to Your letter No Roc 387/41-42 Dt 6-12-1941 in the matter of treating P.K. Muniamma process server Second Munsiff's Court Bangalore as an S.P.T. tenure from 1-4-1936, I am directed to state that it is seen from the Local Auditor's objection enclosed to the bill that the process server Muniamma was appointed on S.P.T. tenure in place of one Adinarayana Sastry promoted as acting Amin

WD 0280—GPB—22,500—14-3-38

and it is not clear how Muniamma was appointed as S. p. T. lecturer while the permanent incumbent holding the post (Adinarayana Sastry) was only acting in a higher grade.

The above arrangement will only be admissible if the acting lecturer of Adinarayana Sastry is capable of being converted into one of sub system. I am in this connection to invite reference to Article 65 (1) of the M.S.R.

The enclosures received with your letter under reference are returned herewith

I have etc

for Secy to Govt

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P3398/C5— Sec S. *Bangalore, Dated, 29th January 1942.*

From

The Secretary to the Government of His Highness
the Maharaja of Mysore,
Law Department.

To

The Registrar,
High Court of Mysore,
BANGALORE.

Sir,

With reference to your letter No.R.O.C.387/41-42 dated 6th December 1941 in the matter of treating B.K. Munianna, Process Server, Second Munsiff's Court, Bangalore as on S.P.T. tenure from 1st April 1936, I am directed to state that it is seen from the Local Auditor's objection enclosed to the bill that the process server Munianna was appointed on S.P.T. tenure in place of one Adinaryana Sastry, promoted as acting Amin and it is not clear how Munianna was appointed on S.P.T. tenure while the permanent incumbant holding the post (Adinarayana Sastry) was only acting in a higher grade.

The above arrangement will only be admissible if the acting tenure of Adinarayana Sastry is capable of being converted into one of Sub protem. I am in this connection to invite reference to Article 65 (1) of the Mysore Service Regulations.

The enclosures received with your letter under reference are returned herewith.

I have the honour to be,
Sir,
Your most obedient servant,

TN-2) For Secretary to Govt. Law Dept.

cs 61-41-578 -

6611/41

R. O. C. No. 387/ 41-42.

Enc: (PP1-9)

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore, 6 June *1942.*

8

FROM

D. L. ACHARYA, Esq., B.A.,
Deputy *Registrar, High Court of Mysore.*

To

cs C. NARAYANASWAMY NAIDU, Esq., B.A.,B.L.,
Secretary to Government,
Law Department,
BANGALORE.

SECY. LAW DEPT. 8 JUNE 1942 GOVT OF MYSORE

SIR,

3814

With reference to your letter No.P.3398/Cts, dated 29th January 1942, inquiring whether the acting tenure of Adinarayana Sastry was capable of being converted into one of sub-pro-tem, I am directed to state that Adinarayana Sastry was promoted to act as Amin in a clear vacancy, that he joined his new post on 12-7-1935 and continued to act as Amin till he was eventually confirmed in that place. It was in the vacancy of Adinarayana Sastry that B.K.Munianna was appointed Process Server. A copy of letter received from the District Judge, in this matter, is enclosed for reference.

In the circumstances reported in the enclosed copy of letter from the District Judge, I am to recommend that the Government may be pleased to order the appointments of Adinarayana Sastry as S.P.T. Amin from 12-7-1935 and of B.K. Munianna as S.P.T. Process Server from 1-4-1936 and to authorize the Comptroller to Government to investigate the consequential arrear claim.

GENL & REV. SECRETARIAT 9 JUN 1942 BRANCH

I have the honour to be,
Sir,
Your most obedient servant,

D. L. Acharya

Dy. REGISTRAR.

Letter No. H.T.No.657, dated 6th May 1942, from the District Judge, Bangalore, to the Registrar, High Court of Mysore, Bangalore.

Adverting to your No.R.O.C.387/41-42, dated 3rd February 1942, forwarding a copy of letter No.P.3398/Dts dated 29th January 1942, received from the Secretary to the Government (Law Department) in the matter of treati B.K. Munianna, Process Server, Second Munsiff's Court, Bangalore, as on sub-pro-tem tenure from 1st April 193 and requesting to intimate whether Adinarayana Sastry was also made sub-pro-tem Amin during the period in question, I have the honour to state that one K.S.Sidde Gowda, permanent Amin of the Munsiff's Court, Closepet, in whose place this Adinarayana Sastri was posted, was promoted and appointed on probation as clerk on Rs.25/- 25-1-30 grade in the same court in place of D. Krishna Murthi appointed in the Agricultural Department. The said Sidde Gowda after his appointment as clerk reporte himself for duty on 22-6-1935 and continued to remain a such till 4-3-36, when he was confirmed in the vacancy caused by the promotion of D.N. Rudrappa, clerk in grad Rs.25-1-30 of the Munsiff's Court, Kolar. Similarly, th senior most Process Server Adinarayana Sastri, who had been appointed to act as Amin in the vacancy caused by the appointment of the said Sidde Gowda, reported himse for duty on 12-7-1935 and continued to remain as such t he was confirmed as Amin on 26-6-1939. Thus, the place in which this Adinarayana Sastry had been acting was a clear vacancy from the date of his appointment viz. 12-7-35 and the vacancy admits of being treated as sub- pro-tem. The enclosures received with the above are herewith resubmitted.

"COPY."

Dy. Registrar.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 26.8.42 193

Signed by Sec. K.L.P.

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(vi) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section CS

File No. 61-41.

Serial No. ~~5-8~~ 5-8

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Correspondence ending with letter No Roc 387/41-42 Dy 8.6.1942 from the ~~Registrar~~ High Court

recommending the appointment of Adi Narayana Sastry as ~~Order thereon. No.~~

S.P.T. Amin from 12-7-1935 and of B.K. Munianna as S.P.T. Process Server from 1-4-1936

order P1281-82 Dy 26.8.

(1) The recommendation

Of the High Court is
sanctioned

2) The Comptroller &
Govt is authorised &
investigate the answer
claims referred to above

cc
24-6-42

Secy & Govt
Law Dept

To
The Registrar High Court Wkt
the Titles and Claims
The Commissioner

List of Enclosure

Copied by

Examined by

WD 0523—GPB—22,500—16-3-37

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :--

Correspondence ending with letter No.ROC.387/41-42 dated 8th June 1942 from the Registrar, High Court recommending the appointments of Adinarayana Sastry as S.P.T. Amin from 12th July 1935 and of B.K. Mumianna as S.P.T. Process Server from 1st April 1936.

ORDER NO.P./281-82 Ch 61-41

Dated, Bangalore, the 26th August 1942.

1. The recommendation of the High Court is sanctioned.

2. The Comptroller to Government is authorised to investigate the arrear claims referred to above.

for Secretary to Government,
Law Department.

To

The Registrar, High Court of Mysore. with the bills and Statements.

The Comptroller to Government.

knns.3